

REMARKS

Claims 1, 2, 5-17, 20-37, 40, 41, and 43-45 are pending but stand rejected.

Claims 3, 4, 18, 19, 38, 39, and 42 have been cancelled in this response. Claims 1, 2, 5, 6, 9, 10, 11, 16, 17, 20, 21, 24-26, 31, 32, 35-37, 40, 41, and 43-45 have been amended. In view of the amendments and the following remarks, the Applicant requests the Examiner's thoughtful reconsideration.

Rejections Under 35 U.S.C. §102

The Examiner rejected Claims 1, 2, 4-8, 16, 17, 19-23, 36, 37, 39-41 and 43 as being anticipated by US Pub 2003/0065404 to Bhatti. It is initially noted that Claims 4, 19 and 39 have been cancelled and will not be addressed.

Claim 1 is, as amended, directed to a computer readable medium having instructions for the following.

1. detecting a triggering event,
2. determining if a print job designated time sensitive has expired following a detected triggering event; and
3. purging the print job from a memory upon determining the print job has expired;
4. wherein the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer.

Claim 1 was amended to specifically recite that the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer.

Addressing Claim 3, the Examiner admits that "Bhatti '404 fails to teach the medium of claim 2, wherein the instructions for detecting a triggering event include instructions for detecting a malfunction." However, with respect to Claim 3, the Examiner added:

However, this is well known in the art as evidenced by Schroath '995. Schroath '995 discloses the instructions for detecting a triggering event include instructions for detecting a malfunction (i.e. in the system of Schroath '995, the detection of a malfunction in the printer occurs and the system gives instructions to the printer to detect if there is an error occurring in the printer. Since the triggering event is considered to be a malfunction in the printer, the above claim feature is performed; see figs. 1-3; paragraphs [0027]-[0032]).

Therefore, in view of Schroath '995, it would have been obvious to one of ordinary skill at the time the invention was made to have instructions for detecting a triggering event include instructions for detecting a malfunction in order to detect if the printer has an error (as stated in Schroath '995 paragraph [0027]).

To establish a *prima facia* case for obviousness, the Examiner must do more than simply state that one reference teaches some limitations of a claim and another reference teaches other limitations. Even in light of KSR, the Examiner is required to establish that one of ordinary skill in the art would look to Schroath to modify Bhatti in the manner required to read on Claim 1. In particular, the Examiner must establish that one of skill in the art would be inclined to modify Bhatti to include instructions for detecting a triggering event that includes a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. And that if a print job designated time sensitive has expired following a detection of such a triggering event, that time sensitive print job is purged from memory.

The Applicants respectfully maintain that such a showing cannot be made. To explain, Bhatti teaches a system for "job retention" in a MFP (Multi Function Peripheral). See Bhatti, Abstract and paragraph [0006]. According to Bhatti, job retention "is a known printer feature that allows a user to store a print job at the printer either in memory or on a disk. Jobs can be reviewed and printed using the user interface at the printer control panel." Bhatti, paragraph [0006]. Bhatti's system arose from "need in the art for providing an apparatus and method that enables a user to control stored jobs in a manner that is easy, efficient and timely such that jobs that need to be retained are retained and those that need to be deleted are deleted at a time selected by the user." Bhatti, paragraph [0007].

Bhatti's Fig. 3, reproduced below, helps to illustrate.

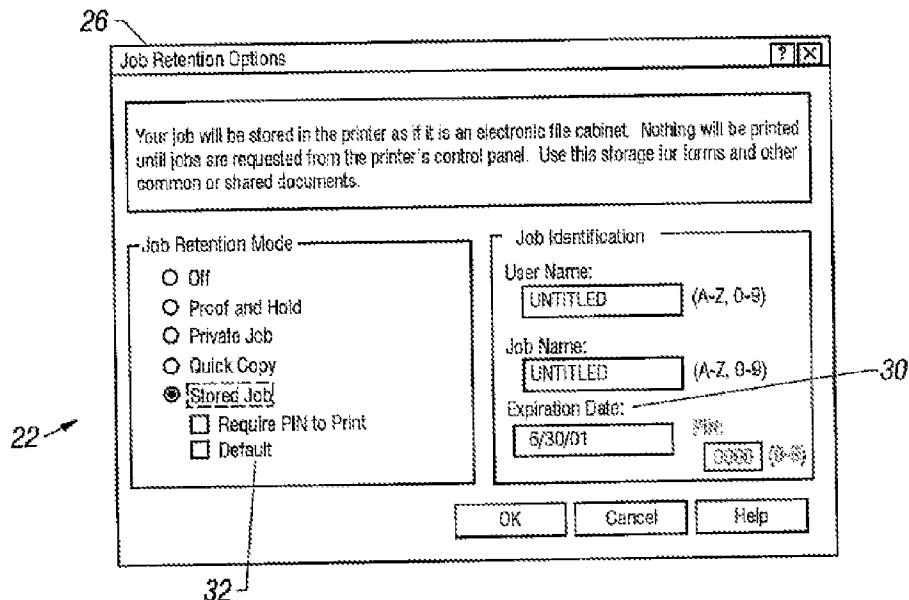


FIG. 3

Discussing Figure 3, Bhatti explains

In the preferred embodiment, job retention option 26 includes the option of selecting a default expiration date 32 . That is to say, a user has the option to select a default expiration date 32 from a group of default expiration dates including 30, 60, 90, and 180 days. Additionally, a user has the option, in a preferred embodiment, of selecting a default expiration date 32 of never. Obviously, when "never" is selected the data can only be removed by other means such as manual deletion and the like.

Bhatti, paragraph [0024]. Plainly, Bhatti presumes that print jobs are going to be stored for a set number of days (or indefinitely) so that the print jobs can be repeatedly accessed and reprinted without having to resend the print job to the printer.

Schroath describes a method for rebooting a printer. See Schroath, Title, Abstract, and Figure 3. In particular, Schroath discusses rebooting a printer (step 314) following the detection of a printer error (step 302) if certain conditions are met (steps 306 and 312). One of ordinary Skill in the art would not modify the teachings of Bhatti to incorporate Schroath's detection of a printer error for the purpose of purging Bhatti's print jobs following such a printer error detection. The purpose of Bhatti's teachings is

to retain print jobs so that they can be repeatedly accessed and reprinted without having to resend the print job to the printer. One would not modify Bhatti's teachings to purge retained print jobs following the detection of a printer malfunction. Bhatti presumes that print jobs will be retained for a month or more. Surely this is enough time to remedy printer malfunctions and to allow the retained print jobs to be reprinted as needed. Consequently, modifying Bhatti in such a manner would render Bhatti unsuitable for its intended purpose – that is – to retain print jobs for reuse.

One motivation behind the present invention is to prevent a printer's recovery feature or other mechanism from printing a potentially confidential print job identified as time sensitive following a malfunction. Attention is also drawn to paragraph [0003] of the present application:

[0003] Recovery of a print job in this manner may, however, create a problem. For example, often printer malfunctions are remedied by service technicians and others who may not have clearance to view sensitive materials. Once the technician remedies a malfunction, the recovery feature causes additional pages to be printed potentially exposing sensitive or otherwise confidential materials. One possible solution involves disabling the recovery feature. However, with the recovery feature disabled, remedying a printer malfunction often erases the printer's memory. Consequently, a partially printed print job may need to be reprinted thereby inconveniencing the user

In terms of Bhatti, such print jobs are clearly not to be identified as "retained print jobs." As such Bhatti teaches away from the present invention. As such, one of ordinary skill in the art would not look to Bhatti.

For at least these reasons, Claim 1 and Claim 2 which depends from Claim 1 is patentable over Bhatti alone and in combination with Schroath.

Claim 5 is, as amended, directed to a computer readable medium having instructions for:

1. detecting a triggering event;

2. determining if a print job stored in a memory has been designated time sensitive following a detected triggering event; and
3. if the print job has been designated time sensitive, obtaining expiration data for the print job, and, if the print job has expired according to the expiration data, purging the print job from the memory;
4. wherein the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer.

Like Claim 1, Claim 3 was amended to specifically recite that the detected triggering event is a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 5 and Claims 6-8 which depend from Claim 5.

Claim 16 is, as amended, directed to a method implementation of Claim 1. For at least the same reasons, Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 16 and Claim 17 which depends from Claim 16.

Claim 20 is, as amended, directed to a method implementation of Claim 5. For at least the same reasons, Claim 5 is patentable over Bhatti alone and in combination with Schroath, so are Claim 20 and Claims 21-23 which depend from Claim 20.

Claim 40 is, as amended, directed to an imaging forming device that serves as an apparatus implementation of Claim 1. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 40 and Claim 41 which depends from Claim 40.

Claim 43 is, as amended, directed to an image forming device that serves as an apparatus implementation of Claim 5. For at least the same reasons Claim 5 is patentable over Bhatti alone and in combination with Schroath, so is Claim 43.

Rejections Under 35 U.S.C. §103

The Examiner rejected Claims 3, 9-15, 18, 24-35, 38, 42, 44, and 45 as being unpatentable over US Pub 2003/0065404 to Bhatti in view of US Pub 2003/0105995 to Schroath. It is initially noted that Claims 3, 18, 38, and 42 have been cancelled and will not be addressed.

Claim 9 is, as amended, directed to a computer readable medium having instructions for:

1. receiving instructions from an application to print an electronic document;
2. translating the instructions into a print job;
3. presenting a user interface having user accessible controls for designating the print job as time sensitive and for specifying expiration data; and
4. if so selected through the interface, designating the print job as time sensitive and including expiration data with the print job;
5. wherein the expiration data represents a duration for holding the print job in a memory and used to determine whether the print job has expired and is to be purged from the memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer.

Like claim 1, Claim 9 has been amended to reflect that an expired print job designated as time sensitive is to be purged from memory following the detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 9 and Claim 10 which depends from Claim 9.

Claim 11 is, as amended, directed to a computer readable medium having instructions for:

1. identifying a malfunction that prevents, at least temporarily, a print job stored in a memory from being delivered to or printed by a printer;
2. upon identifying the malfunction, determining if the print job has expired; and
3. if expired, purging the print job from the memory

Like claim 1, Claim 11 has been amended to reflect that an expired print job designated as time sensitive is to be purged from memory following the detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 11 and Claims 12-15 which depend from Claim 11.

Claim 24 is, as amended, directed to a method for designating a print job as time sensitive that includes the following.

1. receiving instructions from an application to print an electronic document;
2. translating the instructions into a print job;
3. presenting a user interface having user accessible controls for designating the print job as time sensitive and for specifying expiration data; and
4. if so selected through the interface, designating the print job as time sensitive and including expiration data with the print job;
5. wherein the expiration data represents a duration for holding the print job in a memory and used to determine whether the print job has expired and is to be purged from the memory following a detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer.

Like claim 1, Claim 24 has been amended to reflect that an expired print job designated as time sensitive is to be purged from memory following the detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or

printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 24 and Claim 25 which depends from Claim 24.

Claim 26 is, as amended, directed to a method for purging a print job that includes the following.

1. identifying a printer malfunction that, at least temporarily, prevents a print job stored in a memory from being delivered to or printed by a printer;
2. upon identifying the malfunction, determining if the stored print job has expired; and
3. if expired, purging the print job from the memory.

Like claim 1, Claim 26 has been amended to reflect that an expired print job is to be purged from memory following the detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 26 and Claims 27-30 which depend from Claim 26.

Claim 31 is, as amended, directed to a method for purging a print job that includes the following.

1. designating the print job as a time sensitive print job;
2. queuing the time sensitive print job;
3. detecting a malfunction that, at least temporarily, prevents the time sensitive print job from being delivered to or printed by a printer; and
4. purging the time sensitive print job from the queue if the malfunction is not remedied within a set time.

Like claim 1, Claim 31 has been amended to reflect that an expired print job designated as time sensitive is to be purged from memory following the detection of a

malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so are Claim 31 and Claims 32-34 which depend from Claim 31.

Claim 44 is directed to a printer driver capable of implementing the method of Claim 24. For at least the same reasons Claim 24 is patentable over Bhatti alone and in combination with Schroath, so is Claim 44.

Claim 45 is, as amended, directed to a system for purging a print job. The system includes the following:

1. a means for storing the print job in memory;
2. a means for identifying a printer malfunction that, at least temporarily, prevents the stored print job from being delivered to or printed by a printer;
3. a means for determining, upon identifying the malfunction, if the stored print job has expired; and
4. a means for purging the print job, if expired, from memory

Like claim 1, Claim 45 has been amended to reflect that an expired print job is to be purged from memory following the detection of a malfunction that prevents, at least temporarily, the print job from being delivered to or printed by a printer. For at least the same reasons Claim 1 is patentable over Bhatti alone and in combination with Schroath, so is Claim 45.

CONCLUSION

It is requested that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue.

Respectfully submitted,
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